

Notice of Allowability

Application No.

10/663,447

Examiner

Alessandro V. Amari

Applicant(s)

BRANHAM, MICHAEL DEAN

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/13/2005.
2. ☒ The allowed claim(s) is/are 1-4,6-18,20-24,26 and 27.
3. ☒ The drawings filed on 16 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/31/2005
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

REASONS FOR ALLOWANCE

Allowable Subject Matter

1. Claims 1-4, 6-18, 20-24, 26 and 27 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "a locking element movable between a locking position in which the locking element protrudes from said positive lock assembly and a retracted position in which the locking element is at least partially withdrawn into said positive lock assembly" as set forth in the claimed combination. Claims 2-4 and 6-15 are also allowable based upon their dependence on claim 1.

Claim 16 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "a positive lock assembly carried by said connection element, said positive lock assembly having a biasing element vertically urging a locking element into a locking position with said holder; and said holder having a swivel face with a depression formed therein, said locking element yieldable by application of an external force to movement and disengagement from said depression; said biasing element urging said locking element into said locking position in said depression so that said holder is rotatably secured to said connection head" as set forth in the claimed combination. Claims 17, 18 and 20-22 are also allowable based upon their dependence on claim 16.

Claim 23 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "providing a locking element movable between a

Art Unit: 2872

locking position and a retracted position and a biasing element having a spring constant urging said locking element into said locking position between said connection element and said holder and said spring constant yielding to allow said locking element to move to said retracted position during engagement of said connection element and said holder" as set forth in the claimed combination. Claims 24, 26 and 27 are also allowable based upon their dependence on claim 23.

The prior art of record, Lang et al teaches a vehicle mirror assembly comprising a mirror support, a tie bar, a connection head, a holder and a positive lock assembly. However, the prior art of record does not teach that a locking element movable between a locking position and a retracted position in which the locking element is at least partially withdrawn into said positive lock assembly or a positive lock assembly carried by said connection element, said positive lock assembly having a biasing element vertically urging a locking element into a locking position with said holder; and said holder having a swivel face with a depression formed therein, said biasing element urging said locking element into said locking position in said depression so that said holder is rotatably secured to said connection head or providing a locking element movable between a locking position and a retracted position and a biasing element having a spring constant urging said locking element into said locking position between said connection element and said holder and said spring constant yielding to allow said locking element to move to said retracted position during engagement of said connection element and said holder and there is no motivation or teaching to modify this difference as derived. Furthermore, the prior art of record, Thompson US 3,371,903

teaches a vehicle mirror assembly comprising a mirror support, a tie bar, a connection head, a holder and a positive lock assembly with a biasing element. However, Thompson does not teach that the holder has a swivel face and there is no motivation or teaching to modify this difference as derived.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alessandro V. Amari whose telephone number is (571) 272-2306. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/663,447
Art Unit: 2872

Page 5

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15 June 2005


MARK A. ROBINSON
PRIMARY EXAMINER